

IN THE CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE
AT MEMPHIS, TENNESSEE

James Michael Wood, Executor of
Estate of Gladys G. Wood, Deceased,
and on behalf of the wrongful death
beneficiaries of Gladys G. Wood,

Plaintiff,

vs.

Greenfield Assisted Living of Memphis,
LLC d/b/a Greenfield Assisted Living of
Memphis a/k/a Greenfield at Lenox
Park; Greenfield Management, LLC;
and Greenfield Senior Living, Inc.,

Defendant.

Case No:

CT-000334-15
Division VI

FILED
JAN 23 2015
CIRCUIT COURT CLERK
BY [Signature] S.C.

COMPLAINT

Comes now the Plaintiff, James Michael Wood, as executor of the estate of Gladys G. Wood, deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood, and for cause of action against Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park, Greenfield Management, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park, and Greenfield Senior Living, Inc. d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park, will respectfully show to the Court as follows:

1. Gladys G. Wood, deceased, was a citizen and resident of Memphis, Shelby County, Tennessee at all times relevant until her death on May 17, 2014.
2. Defendant Greenfield Assisted Living of Memphis, LLC is a Virginia corporation which at all material times hereto was doing business in Tennessee operating and/or managing

EXHIBIT

Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park at 6551 Knight Arnold Road, Memphis, Shelby County, Tennessee. Defendant's registered agent for service of process is CT Corporation System, 800 S. Gay Street, Suite 2021, Knoxville, Tennessee 37929-9710.

3. Defendant Greenfield Senior Living, Inc. is a Virginia corporation which at all material times hereto was doing business in Tennessee operating and/or managing Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park at 6551 Knight Arnold Road, Memphis, Shelby County, Tennessee. Defendant's registered agent for service of process is Thomas A. Grant, 1001 Haxall Point, 15th Floor, Richmond, VA 23219.

4. Defendant Greenfield Management, LLC is a Virginia corporation which at all material times hereto was doing business in Tennessee operating and/or managing Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park at 6551 Knight Arnold Road, Memphis, Shelby County, Tennessee. Defendant's registered agent for service of process is CT Corporation System, 800 S. Gay Street, Suite 2021, Knoxville, Tennessee 37929-9710.

5. That at all times material herein, the tortuous acts or omission that give rise to this action occurred in Shelby County, Tennessee.

DEFINITIONS

6. Whenever it is alleged that Defendants did any act or failed to do any act, it is meant that the officers, employees, or agents of the defendants performed, participated in or failed to perform or participate in such acts or things while in the course and scope of their employment or agency relationship with defendants.

VENUE/JURISDICTION

7. The injuries made the basis of this lawsuit occurred in Shelby County, Tennessee. Venue is appropriate in Shelby County, Tennessee.

FACTS

8. Upon information and belief, Gladys G. Wood was a resident of Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park (hereinafter "Greenfield") intermittently from approximately 2006 until May, 2014.

9. Mrs. Wood was admitted to Greenfield for advanced care and treatment related to her health conditions and dementia.

10. Mrs. Wood was admitted to Greenfield and over time required greater levels of assistance in the management of her declining health, mental abilities and functional status as well as greater assistance with medication and nutrition and hydration management.

11. Mrs. Wood required assistance with her activities of daily living, even the most basic activities such as eating, drinking, going to the bathroom and ambulating. Defendant was aware of these conditions, or reasonably should have been aware, and was required to meet her needs or discharge her to an appropriate facility where her needs could be met.

12. Greenfield represented itself to Mrs. Wood and his family as being capable of providing high quality, compassionate long term assistive care.

13. Mrs. Wood was at risk for developing infections due to her limitations and disabilities. Defendant was aware of these conditions, or reasonably should have been aware, and was required to meet her needs or discharge her to an appropriate facility where her needs could be met.

14. Mrs. Wood was at risk for falls due to her inability to ambulate safely on her own. Defendant was aware of these conditions, or reasonably should have been aware, and was required to meet her needs or discharge her to an appropriate facility where her needs could be met.

15. Mrs. Wood was at a high risk for the development and progression of pressure sores due to her various health conditions and needs. Defendant was aware of this condition, or reasonably should have been aware, and was required to meet her needs or discharge her to an appropriate facility where her needs could be met.

16. Mrs. Wood died on May 17, 2014 and is survived by her son, James Michael Wood.

17. While in the care of Defendants, Mrs. Wood suffered injuries and harm which include, but are not limited to, the following:

- (a) pressure sores;
- (b) necrotic ulcers that needed debridement following discharge from the facility;
- (c) improper and inappropriate placement at a decreased level of care;
- (d) falls; and
- (e) Abuse and Neglect;
- (f) Death.

18. Defendant failed to implement a system to ensure that Mrs. Wood was properly monitored and protected from acts of abuse and neglect.

19. Defendant failed to properly and timely intervene and care plan regarding Mrs. Wood to prevent the development and progression of pressure sores.

20. Defendant failed to ensure that Mrs. Wood was properly placed in a facility which could reasonably care for her various conditions and needs.

21. The injuries described in this Complaint are a direct and proximate result of the acts or omissions set forth herein, singularly or in combination. As a result of these injuries,

Mrs. Wood's physical and mental condition deteriorated, she required extensive medical treatment, suffered significant pain, was subject to significant abuse and neglect and died.

**COUNT I – NEGLIGENCE PURSUANT TO THE TENNESSEE HEALTH CARE
LIABILITY ACT, TENN. CODE ANN. §29-26-101, ET SEQ.**

22. Plaintiff has complied with the provisions of T.C.A. §29-26-121(a) as evidenced by the attached Affidavit of Service with Certificate of Mailing (Exhibit A). Additionally, Plaintiff has filed a Certificate of Good Faith.

23. Defendant owed a duty to its residents, including Mrs. Wood, to render care, services and treatment as a reasonably prudent and similarly situated assisted living facility would render, including but not limited to, rendering care and services in a safe and beneficial manner.

24. Defendant owed a duty to its residents, including Mrs. Wood, to provide assisted-care living services to her by meeting her individual medical and other needs safely and effectively.

25. Defendant owed a duty to its residents, including Mrs. Wood, to enhance their ability to age in place while promoting individuality, respect, independence, and privacy.

26. Defendant failed to meet that standard of care and violated its duty of care in their treatment of Mrs. Wood. The medical negligence of Defendants includes, but is not limited to, the following acts and omissions:

- a. Failure to provide and ensure adequate evaluation and placement based upon the needs of Mrs. Wood;
- b. Failure to implement and ensure that an adequate care plan for Mrs. Wood was followed by personnel;

- c. Failure to provide timely medical intervention to Mrs. Wood;
- d. Failure to provide personnel sufficient in number to ensure that Mrs. Wood had her medical and other needs safely and effectively met;
- e. Failure to provide care and treatment to Mrs. Wood in accordance with her needs;
- f. Failure to properly and timely notify Mrs. Wood's attending physician of significant changes in Mrs. Wood's physical condition;
- g. Failure to adequately and appropriately monitor Mrs. Wood and recognize significant changes in her health status;
- h. Failure to implement a plan to ensure that Mrs. Wood was protected from abuse and neglect;
- i. Failure to provide timely and adequate interventions to alleviate pain and suffering endured by Mrs. Wood;
- j. Failure to maintain medical records on Mrs. Wood that are complete, accurately documented, readily accessible, and systematically organized with respect to the diagnosis of Mrs. Wood, the treatment of Mrs. Wood, and the assessment and establishment of appropriate care plans for Mrs. Wood.

27. A reasonably assisted living facility, operating under the same or similar conditions, would not have failed to provide the care listed above. Each of the foregoing acts of negligence on the part of Defendants was a proximate cause of Mrs. Wood's injuries. Mrs. Wood's injuries were all foreseeable to Defendants.

28. Defendants' conduct in breaching the duties they owed to Mrs. Wood was negligent, grossly negligent, willful, wanton, malicious, reckless and/or intentional.

29. The injuries hereinafter described are a direct and proximate result of the acts or omissions as set forth above, singularly or in combination.

30. Plaintiff seeks compensatory and punitive damages in an amount to be determined by the jury, plus costs and any further relief to which she is entitled by law.

**COUNT II – GROSS NEGLIGENCE, WILLFUL, WANTON,
RECKLESS, MALICIOUS AND/OR INTENTIONAL MISCONDUCT**

31. The longevity, scope and severity of Defendants' failures and actions and their consciously indifferent actions with regard to the welfare and safety of helpless residents, such as Mrs. Wood, constitutes gross negligence, willful, wanton, reckless, malicious and/or intentional misconduct as such terms are understood in law.

32. Such conduct was undertaken by Defendants without regard to the health and safety consequences to those residents, such as Mrs. Wood, entrusted to their care. Moreover, such conduct evinces such little regard for their duties of care, good faith, and fidelity owed to Mrs. Wood as to raise a reasonable belief that the acts and omissions set forth above are the result of conscious indifference to Mrs. Wood's rights and welfare.

33. As a direct and proximate result of the grossly negligent, willful, wanton, reckless, malicious and/or intentional misconduct of defendant, Mrs. Wood suffered injuries, resulting treatment, and pain, suffering and poor care.

34. As a direct and proximate result of the negligence of Defendants, as set forth above, Mrs. Wood suffered injuries including, but not limited to, infections, wounds, medical treatment, pain and suffering, mental anguish, humiliation, poor hygiene and death.

RELIEF SOUGHT

WHEREFORE, Plaintiff prays for judgment against Defendants, as follows:

1. For damages to be determined by the jury, in an amount adequate to compensate Plaintiff for all the injuries and damages sustained;
2. For all general and special damages caused by the conduct of Defendants;
3. For punitive damages sufficient to punish Defendants for their egregious conduct and to deter Defendants and others from repeating such atrocities;
4. For a jury of twelve (12) persons to hear this case;
5. For costs of litigating this case; and
6. For all other general and special relief as the case requires;

Respectfully Submitted,

THE HIGGINS FIRM, PLLC



RICHARD D. PILIPONIS, BPR NO. 16249
Attorneys for Plaintiff
525 Fourth Avenue South
Nashville, TN 37210
(615) 353-0930

**IN THE CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE
AT MEMPHIS, TENNESSEE**

**James Michael Wood, Executor of
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and on behalf of the wrongful death
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Plaintiff,

vs.

**Greenfield Assisted Living of Memphis,
LLC d/b/a Greenfield Assisted Living of
Memphis a/k/a Greenfield at Lenox
Park; Greenfield Management, LLC;
and Greenfield Senior Living, Inc.**

Defendants.

Case No:

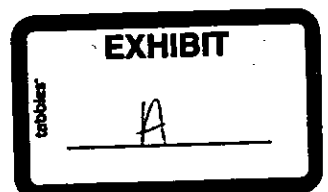
**AFFIDAVIT OF SERVICE WITH
CERTIFICATE OF MAILING**

STATE OF TENNESSEE }

COUNTY OF DAVIDSON }

In accordance with T.C.A. § 29-26-121, the undersigned attorney, having been duly sworn, states upon oath and affirmation as follows:

1. That I am the attorney for the Plaintiff in this action and have personal knowledge of the facts contained herein.
2. On September 30, 2014, letters were sent to Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park; Greenfield Management, LLC; and Greenfield Senior Living, Inc.. A copy of the letter sent to each is attached along the time-stamped postal receipts evidencing this mailing.



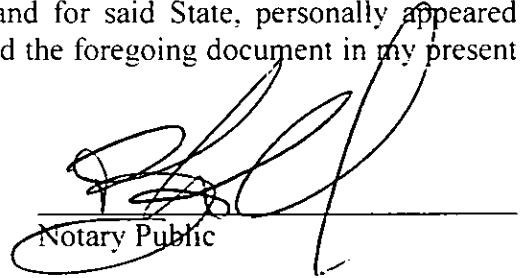
3. The specified notice was timely mailed and the attorney has complied with the § 29-26-121.

In witness whereof, I have set my hand this the 22nd day of January, 2015.



Richard Piliponis, Affiant

Before me, Brandon Hall, a Notary Public in and for said State, personally appeared Richard Piliponis, known to me personally, who executed the foregoing document in my present as his free act and deed.


Notary Public

My commission expires: 03-03-2018

[SEAL]





JEHL LAW GROUP PLLC
Attorneys at Law

Cameron C. Jehl, Esq.
Carey L. Acerra, Esq.
Deena K. Arnold, Esq.

September 30, 2014

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE NUMBER 7012 2210 0001 5004 9051**

Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o Patty Earles, Administrator
6551 Knight Arnold Road
Memphis, TN 38115

Re: James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood v. Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park; Greenfield Management, LLC; Greenfield Senior Living, Inc.; and Patty Earles, in her capacity as Administrator of Greenfield Assisted Living of Memphis

Dear Madam:

I am the attorney representing James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood, and I am the authorized agent of James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood.

Through us, the wrongful death beneficiaries on behalf of Gladys G. Wood are asserting, among other claims, a potential claim for medical malpractice and/or health care liability against you.

Pursuant to T.C.A. § 29-26-121(a), below is additional information regarding my client:

Patient:	Gladys G. Wood
Date of Birth:	
Claimants' Names and Addresses:	James Michael Wood 1373 Fairway Forrest Memphis, Tennessee 38016
Relationship to Patient:	Son and Executor of Estate of Gladys G. Wood, Deceased

September 30, 2013

Page Two

Due to the poor care provided to Gladys G. Wood during her residency at Greenfield Assisted Living of Memphis, Gladys G. Wood suffered from, among other things, pressure sores; cellulitis; scabies; poor hygiene; severe pain, and injuries to her dignity, resulting in death.

Also, enclosed please find a HIPAA medical authorization executed by my client regarding this matter. Attached hereto is a list of all providers to whom notice is being given pursuant to T.C.A. § 29-26-121(a).

Please have your attorney or liability insurance carrier representative contact me, should you wish to discuss this matter.

Sincerely,

JEHL LAW GROUP, PLLC

Carey L. Acerra (law)

Carey L. Acerra, Esq.

CLA/mkb
Enclosures

LIST OF HEALTH CARE PROVIDERS TO WHOM NOTICE IS BEING GIVEN
PURSUANT TO T.C.A. SECTION 29-26-121(a)

Re: Resident, Gladys G. Wood

Below is a list of all healthcare providers to whom notice is being given, pursuant to T.C.A. Section 29-26-121(a), of a potential claim for medical malpractice and/or health care liability:

1. Patty Earles, in her capacity as Administrator
of Greenfield Assisted Living of Memphis
1768 Cheshunt Lane
Cordova, TN 38016

Patty Earles, in her capacity as Administrator
of Greenfield Assisted Living of Memphis
6551 Knight Arnold Road
Memphis, TN 38115

2. Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o Patty Earles, Administrator
6551 Knight Arnold Road
Memphis, TN 38115

3. Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
6551 Knight Arnold Road
Memphis, TN 38115

4. Greenfield Management, LLC
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

Greenfield Management, LLC
125 North Washington Street
Falls Church, VA 22046

5. Greenfield Senior Living, Inc.
c/o Thomas A. Grant, Registered Agent
1001 Haxall Point, 15th Floor
Richmond, VA 23219

Greenfield Senior Living, Inc.
6312 Seven Corners Center, Suite 161
Falls Church, VA 22044

HIPAA COMPLIANT LIMITED MEDICAL AUTHORIZATION

I, James Michael Wood, do hereby authorize Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis; Greenfield Management, LLC, Greenfield Senior Living, Inc.; Patty Earles, in her capacity as Administrator of Greenfield Assisted Living of Memphis ("health care providers") to furnish and disclose to Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis or to any representative or attorney from their office a full, complete, and black & white copy of any and all protected health information regarding patient, Gladys G. Wood, Date of Birth: 6 Social Security Number: specifically including any and all records for service from 3-31-07 to 3-31-14, including the entire hospital record, entire nursing home/assisted living facility chart, transfer sheets/EMS reports, emergency room records, triage sheets, patient history and physical, nurses' notes, physicians' orders, physicians' notes, progress notes, consult reports, operative and surgical notes/reports, resident assessments, minimum data sets, RAP sheets, resident care plans, discharge plans, decubitus and wound reports, admission and discharge summaries/reports, photographs, social service records, dietary records (I&O/B&B), weight records/vital signs, activities records and schedules, physicians' orders, consultation reports, laboratory reports, pathology reports, clinic records, radiographic/ultrasound/photographic/other diagnostic reports and images, psychological reports, intensive care unit records, patient activity flow sheets, prescription orders, medication administration records, controlled drug inventory, physical/occupational/speech/respiratory therapy records, incident reports, bills for treatment, and any other records regarding said patient's physical, mental or emotional condition and treatment rendered (collectively "protected health information"). I further and specifically consent to the disclosure of any information concerning alcohol or drug abuse/treatment, psychiatric conditions/treatment, HIV test results or genetic testing.

This release together with a written request is also intended to require all health, disability and/or automobile insurance carriers to release any and all information regarding said patient in their possession, including, but not limited to, all payment or non-payment information and any collateral source information, to Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis.

This is a limited medical authorization. I AM NOT waiving any physician/patient privilege or any psychotherapist/patient privilege. Any conferences, formal or informal, or any type of oral communication with Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis or any of their representatives is absolutely forbidden. Copies of any documents produced to Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis, pursuant to this limited medical authorization, should be furnished to Jehl Law Group, PLLC, 60 S. Main Street, Suite 101, Memphis, Tennessee 38103, at Jehl Law Group, PLLC's expense.

I am initiating this request for disclosure of protected health information for legal purposes. I am on notice that any health care provider disclosing the above-requested information may not condition said patient's treatment, payment, enrollment or eligibility for benefits on whether I sign this authorization, and that this authorization can be revoked through written notice sent to JEHL LAW GROUP, PLLC or to the specific health care provider(s) being provided with this request, but any such revocation is and will be ineffective as to any information already released in reliance with the Authorization. The undersigned is aware of the potential that protected health information disclosed pursuant to this authorization is subject to re-disclosure in a manner that will not be protected by the HIPAA Privacy Rule (45 CFR §160, et seq.). A photocopy of this authorization shall be considered as effective and valid as the original, and this authorization will expire on 3-30-15.

Dated: 9-30-14Signed: 

If signed by the patient's personal representative, explain the nature of the relationship:

Son and Executor of Estate of Gladys G. Wood, deceased

LETTERS TESTAMENTARY

State of Tennessee, County of Shelby County

Docket No. PR001799

TO: JAMES MICHAEL WOOD,

EXECUTOR(s)

The Probate Court of Shelby County, Tennessee has found that GLADYS G. WOOD has died, leaving a will in which you are appointed Executor(s). The Court is satisfied that your claim to administer this will is valid and proper, that you have given bond if required by the Court, that you have taken the oath of office, that you are qualified by the laws of this State to serve in such capacity, and therefore, the Court has ordered that Letters Testamentary be issued to you.

These letters authorize and empower you to take into your possession and control all property of the decedent subject to probate. As Executor(s) of this Estate, you must file a true and correct inventory and accountings as required by law, unless excused by court order. You are further authorized to collect all assets, pay all lawful debts as provided by statute, and to transact all duties relating to said Estate which lawfully devolve on you as Executor(s). After settling all claims lawfully filed against the Estate and properly administering the Estate as required by law, you are required to deliver the residue to those who are entitled thereto.

Issued by the Shelby County Probate Court Clerk this 21-JUL-2014.

PAUL BOYD CLERK

By: VALENCIA HUNT
Deputy Clerk

State of Tennessee, County of Shelby

I, PAUL BOYD CLERK of the Probate Court of Shelby County, Tennessee do hereby certify that the foregoing is a correct copy of the Letters Testamentary issued to JAMES MICHAEL WOOD as Executor(s) of the Estate of GLADYS G. WOOD, decedent, as same appears of record in cause number PR001799 now on file in my office and that same still remain in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, in the City of Memphis, State of Tennessee, this 21-JUL-2014.

PAUL BOYD CLERK

By: Valencia Hunt
Deputy Clerk

Seal must be affixed here



IN THE PROBATE COURT OF SHELBY COUNTY, TENNESSEE

IN RE: ESTATE OF

GLADYS G. WOOD,

NO. PR-1799

DECEASED

ORDER ADMITTING LAST WILL AND TESTAMENT
TO PROBATE AND APPOINTING EXECUTOR

This cause came on to be heard on this date upon the verified petition of James Michael Wood, whose address is 1373 Fairway Forest, Memphis, Tennessee 38016, for the admission to probate of the last will and testament of Gladys G. Wood, a three-page paper writing (inclusive of affidavit of witnesses) captioned "Last Will and Testament of Gladys Jo Gault Wood" dated May 12, 2004. The petition also seeks petitioner's appointment as executor of such Will, to serve without bond and without being required to file inventory.

Upon the production in open court of the paper writing, upon the testimony of the petitioner, and upon statements of counsel, it appears to the satisfaction of the Court that:

1. Gladys G. Wood, a resident of Shelby County, Tennessee, died on May 17, 2014, at the age of 94, in Shelby County, Tennessee.

2. The decedent left a three-page paper writing (inclusive of affidavit of witnesses) captioned "Last Will and Testament of Gladys Jo Gault Wood" dated May 12, 2004, subscribed to by the

decedent and further subscribed to by Donna L. Norman and Teresa D. Austin as attesting witnesses (the "Will").

3. On May 12, 2004, the decedent was of sound mind and disposing memory and was over the age of majority. On May 12, 2004 the decedent signed, published, and declared the Will as and for her last will and testament in the presence of the respective attesting witnesses identified above, who subscribed their names as attesting witnesses in her presence and in the presence of each other and at her request and, in addition, executed an affidavit to that effect.

4. The sole beneficiary under the Will is the petitioner, who is the decedent's only child.

5. The petitioner is not aware of any instruments revoking the document offered for probate and believes that such document is the decedent's last will and testament.

6. In section 1.01 of the Will, the decedent nominated petitioner to serve as executor and excused him from furnishing bond and from filing inventory.

7. The petitioner is willing and in all respects competent to serve as such executor.

8. At the time of her death, the decedent was over the age of 55 years and was not enrolled in the TennCare Program in Tennessee.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. The three-page paper writing (inclusive of affidavit) dated May 12, 2004 is hereby admitted to probate as and for the true and whole last will and testament of Gladys G. Wood and shall be filed and recorded as such.

2. James Michael Wood is hereby appointed executor of such last will and testament.

3. James Michael Wood is excused from the requirement to furnish bond with respect to the performance of his duties as executor and from the requirement to file inventory, the same having been waived in such last will and testament.

4. The Clerk is directed to issue letters testamentary to James Michael Wood upon his taking the oath required by law.

KAREN D. WEBSTER

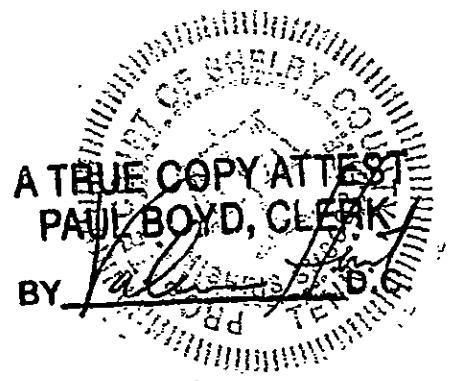
JUDGE

JUL 21 2014

DATE: _____

Approved as to form:

Susan Callison, BOPR# 8260
Attorney for Petitioner
Harris Shelton Hanover Walsh, PLLC
999 S. Shady Grove Road, Suite 300
Memphis, Tennessee 38120





JEHL LAW GROUP PLLC
Attorneys at Law

Cameron C. Jehl, Esq.
Carey L. Acerra, Esq.
Deena K. Arnold, Esq.

September 30, 2014

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE NUMBER 7012 2210 0001 5004 9068**

Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

**CERTIFIED MAIL
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ARTICLE NUMBER 7012 2210 0001 5004 9075**

Greenfield Assisted Living of Memphis, LLC
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a/k/a Greenfield at Lenox Park
6551 Knight Arnold Road Extended
Memphis, TN 38115

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Dear Sir or Madam:

I am the attorney representing James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood, and I am the authorized agent of James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood.

Through us, the wrongful death beneficiaries on behalf of Gladys G. Wood are asserting, among other claims, a potential claim for medical malpractice and/or health care liability against you.

September 30, 2013

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Pursuant to T.C.A. § 29-26-121(a), below is additional information regarding my client:

Patient:	Gladys G. Wood
Date of Birth:	
Claimants' Names and Addresses:	James Michael Wood 1373 Fairway Forrest Memphis, Tennessee 38016
Relationship to Patient:	Son and Executor of Estate of Gladys G. Wood, Deceased

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Also, enclosed please find a HIPAA medical authorization executed by my client regarding this matter. Attached hereto is a list of all providers to whom notice is being given pursuant to T.C.A. § 29-26-121(a).

Please have your attorney or liability insurance carrier representative contact me, should you wish to discuss this matter.

Sincerely,

JEHL LAW GROUP, PLLC

Carey L. Acerra (cl)

Carey L. Acerra, Esq.

CLA/mkb
Enclosures

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Knoxville, TN 37929

Greenfield Management, LLC
125 North Washington Street
Falls Church, VA 22046

5. Greenfield Senior Living, Inc.
c/o Thomas A. Grant, Registered Agent
1001 Haxall Point, 15th Floor
Richmond, VA 23219

Greenfield Senior Living, Inc.
6312 Seven Corners Center, Suite 161
Falls Church, VA 22044

HIPAA COMPLIANT LIMITED MEDICAL AUTHORIZATION

I, James Michael Wood, do hereby authorize Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis; Greenfield Management, LLC; Greenfield Senior Living, Inc.; Patty Earles, in her capacity as Administrator of Greenfield Assisted Living of Memphis ("health care providers") to furnish and disclose to Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis or to any representative or attorney from their office a full, complete, and black & white copy of any and all protected health information regarding patient Gladys G. Wood, Date of Birth: _____ Social Security Number: _____ specifically including any and all records for service from 3-31-07 to 3-31-14, including the entire hospital record, entire nursing home/assisted living facility chart, transfer sheets/EMS reports, emergency room records, triage sheets, patient history and physical, nurses' notes, physicians' orders, physicians' notes, progress notes, consult reports, operative and surgical notes/reports, resident assessments, minimum data sets, RAP sheets, resident care plans, discharge plans, decubitus and wound reports, admission and discharge summaries/reports, photographs, social service records, dietary records (I&O/B&B), weight records/vital signs, activities records and schedules, physicians' orders, consultation reports, laboratory reports, pathology reports, clinic records, radiographic/ultrasound/photographic/other diagnostic reports and images, psychological reports, intensive care unit records, patient activity flow sheets, prescription orders, medication administration records, controlled drug inventory, physical/occupational/speech/respiratory therapy records, incident reports, bills for treatment, and any other records regarding said patient's physical, mental or emotional condition and treatment rendered (collectively "protected health information"). I further and specifically consent to the disclosure of any information concerning alcohol or drug abuse/treatment, psychiatric conditions/treatment, HIV test results or genetic testing.

This release together with a written request is also intended to require all health, disability and/or automobile insurance carriers to release any and all information regarding said patient in their possession, including, but not limited to, all payment or non-payment information and any collateral source information, to Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis.

This is a limited medical authorization. I AM NOT waiving any physician/patient privilege or any psychotherapist/patient privilege. Any conferences, formal or informal, or any type of oral communication with Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis or any of their representatives is absolutely forbidden. Copies of any documents produced to Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis, pursuant to this limited medical authorization, should be furnished to Jehl Law Group, PLLC, 60 S. Main Street, Suite 101, Memphis, Tennessee 38103, at Jehl Law Group, PLLC's expense.

I am initiating this request for disclosure of protected health information for legal purposes. I am on notice that any health care provider disclosing the above-requested information may not condition said patient's treatment, payment, enrollment or eligibility for benefits on whether I sign this authorization, and that this authorization can be revoked through written notice sent to JEHL LAW GROUP, PLLC or to the specific health care provider(s) being provided with this request, but any such revocation is and will be ineffective as to any information already released in reliance with the Authorization. The undersigned is aware of the potential that protected health information disclosed pursuant to this authorization is subject to re-disclosure in a manner that will not be protected by the HIPAA Privacy Rule (45 CFR §160, et seq.). A photocopy of this authorization shall be considered as effective and valid as the original, and this authorization will expire on 3-30-15.

Dated: 9-30-14Signed: 

If signed by the patient's personal representative, explain the nature of the relationship:

Son and Executor of Estate of Gladys G. Wood, deceased

LETTERS TESTAMENTARY

State of Tennessee, County of Shelby County

Docket No. PR001799

TO: JAMES MICHAEL WOOD,

EXECUTOR(s)

The Probate Court of Shelby County, Tennessee has found that GLADYS G. WOOD has died, leaving a will in which you are appointed Executor(s). The Court is satisfied that your claim to administer this will is valid and proper, that you have given bond if required by the Court, that you have taken the oath of office, that you are qualified by the laws of this State to serve in such capacity, and therefore, the Court has ordered that Letters Testamentary be issued to you.

These letters authorize and empower you to take into your possession and control all property of the decedent subject to probate. As Executor(s) of this Estate, you must file a true and correct inventory and accountings as required by law, unless excused by court order. You are further authorized to collect all assets, pay all lawful debts as provided by statute, and to transact all duties relating to said Estate which lawfully devolve on you as Executor(s). After settling all claims lawfully filed against the Estate and properly administering the Estate as required by law, you are required to deliver the residue to those who are entitled thereto.

Issued by the Shelby County Probate Court Clerk this 21-JUL-2014.

PAUL BOYD CLERK

By: VALENCIA HUNT
Deputy Clerk

State of Tennessee, County of Shelby

I, PAUL BOYD CLERK of the Probate Court of Shelby County, Tennessee do hereby certify that the foregoing is a correct copy of the Letters Testamentary issued to JAMES MICHAEL WOOD as Executor(s) of the Estate of GLADYS G. WOOD, decedent, as same appears of record in cause number PR001799 now on file in my office and that same still remain in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, in the City of Memphis, State of Tennessee, this 21-JUL-2014.

PAUL BOYD CLERK

By: Valencia Hunt
Deputy Clerk

Seal must be affixed here



IN THE PROBATE COURT OF SHELBY COUNTY, TENNESSEE

IN RE: ESTATE OF

GLADYS G. WOOD,

NO. PR-1799

DECEASED

ORDER ADMITTING LAST WILL AND TESTAMENT
TO PROBATE AND APPOINTING EXECUTOR

This cause came on to be heard on this date upon the verified petition of James Michael Wood, whose address is 1373 Fairway Forest, Memphis, Tennessee 38016, for the admission to probate of the last will and testament of Gladys G. Wood, a three-page paper writing (inclusive of affidavit of witnesses) captioned "Last Will and Testament of Gladys Jo Gault Wood" dated May 12, 2004. The petition also seeks petitioner's appointment as executor of such Will, to serve without bond and without being required to file inventory.

Upon the production in open court of the paper writing, upon the testimony of the petitioner, and upon statements of counsel, it appears to the satisfaction of the Court that:

1. Gladys G. Wood, a resident of Shelby County, Tennessee, died on May 17, 2014, at the age of 94, in Shelby County, Tennessee.

2. The decedent left a three-page paper writing (inclusive of affidavit of witnesses) captioned "Last Will and Testament of Gladys Jo Gault Wood" dated May 12, 2004, subscribed to by the

decedent and further subscribed to by Donna L. Norman and Teresa D. Austin as attesting witnesses (the "Will").

3. On May 12, 2004, the decedent was of sound mind and disposing memory and was over the age of majority. On May 12, 2004 the decedent signed, published, and declared the Will as and for her last will and testament in the presence of the respective attesting witnesses identified above, who subscribed their names as attesting witnesses in her presence and in the presence of each other and at her request and, in addition, executed an affidavit to that effect.

4. The sole beneficiary under the Will is the petitioner, who is the decedent's only child.

5. The petitioner is not aware of any instruments revoking the document offered for probate and believes that such document is the decedent's last will and testament.

6. In section 1.01 of the Will, the decedent nominated petitioner to serve as executor and excused him from furnishing bond and from filing inventory.

7. The petitioner is willing and in all respects competent to serve as such executor.

8. At the time of her death, the decedent was over the age of 55 years and was not enrolled in the TennCare Program in Tennessee.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. The three-page paper writing (inclusive of affidavit) dated May 12, 2004 is hereby admitted to probate as and for the true and whole last will and testament of Gladys G. Wood and shall be filed and recorded as such.

2. James Michael Wood is hereby appointed executor of such last will and testament.

3. James Michael Wood is excused from the requirement to furnish bond with respect to the performance of his duties as executor and from the requirement to file inventory, the same having been waived in such last will and testament.

4. The Clerk is directed to issue letters testamentary to James Michael Wood upon his taking the oath required by law.

KAREN D. WEBSTER

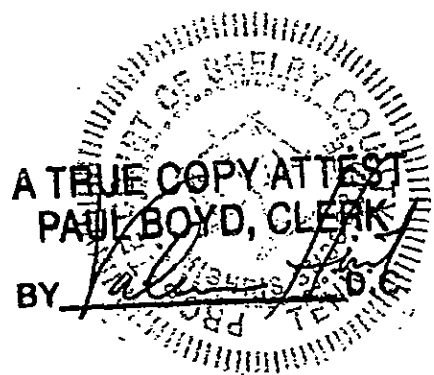
JUDGE

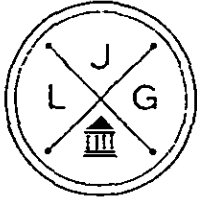
JUL 21 2014

DATE: _____

Approved as to form:

Susan Callison, BOPR# 8260
Attorney for Petitioner
Harris Shelton Hanover Walsh, PLLC
999 S. Shady Grove Road, Suite 300
Memphis, Tennessee 38120





JEHL LAW GROUP PLLC
Attorneys at Law

Cameron C. Jehl, Esq.
Carey L. Acerra, Esq.
Deena K. Arnold, Esq.

September 30, 2014

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE NUMBER 7012 2210 0001 5004 9082**

Greenfield Management, LLC
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE NUMBER 7012 2210 0001 5004 9099**

Greenfield Management, LLC
125 North Washington Street
Falls Church, VA 22046

Re: James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood v. Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park; Greenfield Management, LLC; Greenfield Senior Living, Inc.; and Patty Earles, in her capacity as Administrator of Greenfield Assisted Living of Memphis

Dear Sir or Madam:

I am the attorney representing James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood, and I am the authorized agent of James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood.

Through us, the wrongful death beneficiaries on behalf of Gladys G. Wood are asserting, among other claims, a potential claim for medical malpractice and/or health care liability against you.

Pursuant to T.C.A. § 29-26-121(a), below is additional information regarding my client:

September 30, 2013

Page Two

Patient: Gladys G. Wood
Date of Birth:
Claimants' Names and Addresses: James Michael Wood
1373 Fairway Forrest
Memphis, Tennessee 38016
Relationship to Patient: Son and Executor of
Estate of Gladys G. Wood, Deceased

Due to the poor care provided to Gladys G. Wood during her residency at Greenfield Assisted Living of Memphis, Gladys G. Wood suffered from, among other things, pressure sores; cellulitis; scabies; poor hygiene; severe pain, and injuries to her dignity, resulting in death.

Also, enclosed please find a HIPAA medical authorization executed by my client regarding this matter. Attached hereto is a list of all providers to whom notice is being given pursuant to T.C.A. § 29-26-121(a).

Please have your attorney or liability insurance carrier representative contact me, should you wish to discuss this matter.

Sincerely,

JEHL LAW GROUP, PLLC

Carey L. Acerra (dw)

Carey L. Acerra, Esq.

CLA/mkb
Enclosures

LIST OF HEALTH CARE PROVIDERS TO WHOM NOTICE IS BEING GIVEN
PURSUANT TO T.C.A. SECTION 29-26-121(a)

Re: Resident, Gladys G. Wood

Below is a list of all healthcare providers to whom notice is being given, pursuant to T.C.A. Section 29-26-121(a), of a potential claim for medical malpractice and/or health care liability:

1. Patty Earles, in her capacity as Administrator
of Greenfield Assisted Living of Memphis
1768 Cheshunt Lane
Cordova, TN 38016

Patty Earles, in her capacity as Administrator
of Greenfield Assisted Living of Memphis
6551 Knight Arnold Road
Memphis, TN 38115

2. Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o Patty Earles, Administrator
6551 Knight Arnold Road
Memphis, TN 38115

3. Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
6551 Knight Arnold Road
Memphis, TN 38115

4. Greenfield Management, LLC
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

Greenfield Management, LLC
125 North Washington Street
Falls Church, VA 22046

5. Greenfield Senior Living, Inc.
c/o Thomas A. Grant, Registered Agent
1001 Haxall Point, 15th Floor
Richmond, VA 23219

Greenfield Senior Living, Inc.
6312 Seven Corners Center, Suite 161
Falls Church, VA 22044

HIPAA COMPLIANT LIMITED MEDICAL AUTHORIZATION

I, James Michael Wood, do hereby authorize Greenfield Assisted Living of Memphis, Inc. d/b/a Greenfield Assisted Living of Memphis; Greenfield Management, LLC, Greenfield Senior Living, Inc.; Patty Earles, in her capacity as Administrator of Greenfield Assisted Living of Memphis ("health care providers") to furnish and disclose to Greenfield Management, LLC or to any representative or attorney from their office a full, complete, and black & white copy of any and all protected health information regarding patient, Gladys G. Wood, Date of Birth: _____ Social Security Number: _____ specifically including any and all records for service from 3-31-07 to 3-31-14, including the entire hospital record, entire nursing home/assisted living facility chart, transfer sheets/EMS reports, emergency room records, triage sheets, patient history and physical, nurses' notes, physicians' orders, physicians' notes, progress notes, consult reports, operative and surgical notes/reports, resident assessments, minimum data sets, RAP sheets, resident care plans, discharge plans, decubitus and wound reports, admission and discharge summaries/reports, photographs, social service records, dietary records (I&O/B&B), weight records/vital signs, activities records and schedules, physicians' orders, consultation reports, laboratory reports, pathology reports, clinic records, radiographic/ultrasound/photographic/other diagnostic reports and images, psychological reports, intensive care unit records, patient activity flow sheets, prescription orders, medication administration records, controlled drug inventory, physical/occupational/speech/respiratory therapy records, incident reports, bills for treatment, and any other records regarding said patient's physical, mental or emotional condition and treatment rendered (collectively "protected health information"). I further and specifically consent to the disclosure of any information concerning alcohol or drug abuse/treatment, psychiatric conditions/treatment, HIV test results or genetic testing.

This release together with a written request is also intended to require all health, disability and/or automobile insurance carriers to release any and all information regarding said patient in their possession, including, but not limited to, all payment or non-payment information and any collateral source information, to Greenfield Management, LLC.

This is a limited medical authorization. I AM NOT waiving any physician/patient privilege or any psychotherapist/patient privilege. Any conferences, formal or informal, or any type of oral communication with Greenfield Management, LLC or any of their representatives is absolutely forbidden. Copies of any documents produced to Greenfield Management, LLC, pursuant to this limited medical authorization, should be furnished to Jehl Law Group, PLLC, 60 S. Main Street, Suite 101, Memphis, Tennessee 38103, at Jehl Law Group, PLLC's expense.

I am initiating this request for disclosure of protected health information for legal purposes. I am on notice that any health care provider disclosing the above-requested information may not condition said patient's treatment, payment, enrollment or eligibility for benefits on whether I sign this authorization, and that this authorization can be revoked through written notice sent to JEHL LAW GROUP, PLLC or to the specific health care provider(s) being provided with this request, but any such revocation is and will be ineffective as to any information already released in reliance with the Authorization. The undersigned is aware of the potential that protected health information disclosed pursuant to this authorization is subject to re-disclosure in a manner that will not be protected by the HIPAA Privacy Rule (45 CFR §160, et seq.). A photocopy of this authorization shall be considered as effective and valid as the original, and this authorization will expire on 3-30-15.

Dated: 3-30-14

Signed: 

If signed by the patient's personal representative, explain the nature of the relationship:

Son and Executor of Estate of Gladys G. Wood, deceased

LETTERS TESTAMENTARY

State of Tennessee, County of Shelby County

Docket No. PR001799

TO: JAMES MICHAEL WOOD,

EXECUTOR(s)

The Probate Court of Shelby County, Tennessee has found that GLADYS G. WOOD has died, leaving a will in which you are appointed Executor(s). The Court is satisfied that your claim to administer this will is valid and proper, that you have given bond if required by the Court, that you have taken the oath of office, that you are qualified by the laws of this State to serve in such capacity, and therefore, the Court has ordered that Letters Testamentary be issued to you.

These letters authorize and empower you to take into your possession and control all property of the decedent subject to probate. As Executor(s) of this Estate, you must file a true and correct inventory and accountings as required by law, unless excused by court order. You are further authorized to collect all assets, pay all lawful debts as provided by statute, and to transact all duties relating to said Estate which lawfully devolve on you as Executor(s). After settling all claims lawfully filed against the Estate and properly administering the Estate as required by law, you are required to deliver the residue to those who are entitled thereto.

Issued by the Shelby County Probate Court Clerk this 21-JUL-2014.

PAUL BOYD CLERK

By: VALENCIA HUNT
Deputy Clerk

State of Tennessee, County of Shelby

I, PAUL BOYD CLERK of the Probate Court of Shelby County, Tennessee do hereby certify that the foregoing is a correct copy of the Letters Testamentary issued to JAMES MICHAEL WOOD as Executor(s) of the Estate of GLADYS G. WOOD, decedent, as same appears of record in cause number PR001799 now on file in my office and that same still remain in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, in the City of Memphis, State of Tennessee, this 21-JUL-2014.

PAUL BOYD CLERK

By: Valencia Hunt
Deputy Clerk

Seal must be affixed here:



IN THE PROBATE COURT OF SHELBY COUNTY, TENNESSEE

IN RE: ESTATE OF

GLADYS G. WOOD,

NO. PR-1799

DECEASED

ORDER ADMITTING LAST WILL AND TESTAMENT
TO PROBATE AND APPOINTING EXECUTOR

This cause came on to be heard on this date upon the verified petition of James Michael Wood, whose address is 1373 Fairway Forest, Memphis, Tennessee 38016, for the admission to probate of the last will and testament of Gladys G. Wood, a three-page paper writing (inclusive of affidavit of witnesses) captioned "Last Will and Testament of Gladys Jo Gault Wood" dated May 12, 2004. The petition also seeks petitioner's appointment as executor of such Will, to serve without bond and without being required to file inventory.

Upon the production in open court of the paper writing, upon the testimony of the petitioner, and upon statements of counsel, it appears to the satisfaction of the Court that:

1. Gladys G. Wood, a resident of Shelby County, Tennessee, died on May 17, 2014, at the age of 94, in Shelby County, Tennessee.

2. The decedent left a three-page paper writing (inclusive of affidavit of witnesses) captioned "Last Will and Testament of Gladys Jo Gault Wood" dated May 12, 2004, subscribed to by the

decedent and further subscribed to by Donna L. Norman and Teresa D. Austin as attesting witnesses (the "Will").

3. On May 12, 2004, the decedent was of sound mind and disposing memory and was over the age of majority. On May 12, 2004 the decedent signed, published, and declared the Will as and for her last will and testament in the presence of the respective attesting witnesses identified above, who subscribed their names as attesting witnesses in her presence and in the presence of each other and at her request and, in addition, executed an affidavit to that effect.

4. The sole beneficiary under the Will is the petitioner, who is the decedent's only child.

5. The petitioner is not aware of any instruments revoking the document offered for probate and believes that such document is the decedent's last will and testament.

6. In section 1.01 of the Will, the decedent nominated petitioner to serve as executor and excused him from furnishing bond and from filing inventory.

7. The petitioner is willing and in all respects competent to serve as such executor.

8. At the time of her death, the decedent was over the age of 55 years and was not enrolled in the TennCare Program in Tennessee.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. The three-page paper writing (inclusive of affidavit) dated May 12, 2004 is hereby admitted to probate as and for the true and whole last will and testament of Gladys G. Wood and shall be filed and recorded as such.

2. James Michael Wood is hereby appointed executor of such last will and testament.

3. James Michael Wood is excused from the requirement to furnish bond with respect to the performance of his duties as executor and from the requirement to file inventory, the same having been waived in such last will and testament.

4. The Clerk is directed to issue letters testamentary to James Michael Wood upon his taking the oath required by law.

KAREN D. WEBSTER

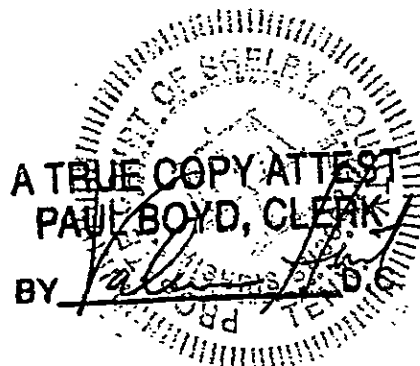
JUDGE

JUL 21 2014

DATE: _____

Approved as to form:

Susan Callison, BOPR# 8260
Attorney for Petitioner
Harris Shelton Hanover Walsh, PLLC
999 S. Shady Grove Road, Suite 300
Memphis, Tennessee 38120





JEHL LAW GROUP PLLC
Attorneys at Law

Cameron C. Jehl, Esq.
Carey L. Acerra, Esq.
Deena K. Arnold, Esq.

September 30, 2014

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE NUMBER 7012 2210 0001 5004 9105**

Greenfield Senior Living, Inc.
c/o Thomas A. Grant, Registered Agent
1001 Haxall Point, 15th Floor
Richmond, VA 23219

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE NUMBER 7012 2210 0001 5004 9112**

Greenfield Senior Living, Inc.
6312 Seven Corners Center, Suite 161
Falls Church, VA 22044

Re: James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood v. Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park; Greenfield Management, LLC; Greenfield Senior Living, Inc.; and Patty Earles, in her capacity as Administrator of Greenfield Assisted Living of Memphis

Dear Sir or Madam:

I am the attorney representing James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood, and I am the authorized agent of James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood.

Through us, the wrongful death beneficiaries on behalf of Gladys G. Wood are asserting, among other claims, a potential claim for medical malpractice and/or health care liability against you.

Pursuant to T.C.A. § 29-26-121(a), below is additional information regarding my client:

September 30, 2013

Page Two

Patient: Gladys G. Wood
Date of Birth:
Claimants' Names and Addresses: James Michael Wood
1373 Fairway Forrest
Memphis, Tennessee 38016
Relationship to Patient: Son and Executor of
Estate of Gladys G. Wood, Deceased

Due to the poor care provided to Gladys G. Wood during her residency at Greenfield Assisted Living of Memphis, Gladys G. Wood suffered from, among other things, pressure sores; cellulitis; scabies; poor hygiene; severe pain, and injuries to her dignity, resulting in death.

Also, enclosed please find a HIPAA medical authorization executed by my client regarding this matter. Attached hereto is a list of all providers to whom notice is being given pursuant to T.C.A. § 29-26-121(a).

Please have your attorney or liability insurance carrier representative contact me, should you wish to discuss this matter.

Sincerely,

JEHL LAW GROUP, PLLC

Carey L. Acerra (dw)

Carey L. Acerra, Esq.

CLA/mkb
Enclosures

LIST OF HEALTH CARE PROVIDERS TO WHOM NOTICE IS BEING GIVEN
PURSUANT TO T.C.A. SECTION 29-26-121(a)

Re: Resident, Gladys G. Wood

Below is a list of all healthcare providers to whom notice is being given, pursuant to T.C.A. Section 29-26-121(a), of a potential claim for medical malpractice and/or health care liability:

1. Patty Earles, in her capacity as Administrator
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1768 Cheshunt Lane
Cordova, TN 38016

Patty Earles, in her capacity as Administrator
of Greenfield Assisted Living of Memphis
6551 Knight Arnold Road
Memphis, TN 38115
2. Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o Patty Earles, Administrator
6551 Knight Arnold Road
Memphis, TN 38115
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d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
6551 Knight Arnold Road
Memphis, TN 38115
4. Greenfield Management, LLC
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

Greenfield Management, LLC
125 North Washington Street
Falls Church, VA 22046
5. Greenfield Senior Living, Inc.
c/o Thomas A. Grant, Registered Agent
1001 Haxall Point, 15th Floor
Richmond, VA 23219

Greenfield Senior Living, Inc.
6312 Seven Corners Center, Suite 161
Falls Church, VA 22044

HIPAA COMPLIANT LIMITED MEDICAL AUTHORIZATION

I, James Michael Wood, do hereby authorize Greenfield Assisted Living of Memphis, Inc. d/b/a Greenfield Assisted Living of Memphis; Greenfield Management, LLC; Greenfield Senior Living, Inc.; Patty Earles, in her capacity as Administrator of Greenfield Assisted Living of Memphis ("health care providers") to furnish and disclose to Greenfield Senior Living, Inc. or to any representative or attorney from their office a full, complete, and black & white copy of any and all protected health information regarding patient, Gladys G. Wood, Date of Birth: _____ Social Security Number: _____ specifically including any and all records for service from 3-31-07 to 3-31-14, including the entire hospital record, entire nursing home/assisted living facility chart, transfer sheets/EMS reports, emergency room records, triage sheets, patient history and physical, nurses' notes, physicians' orders, physicians' notes, progress notes, consult reports, operative and surgical notes/reports, resident assessments, minimum data sets, RAP sheets, resident care plans, discharge plans, decubitus and wound reports, admission and discharge summaries/reports, photographs, social service records, dietary records (I&O/B&B), weight records/vital signs, activities records and schedules, physicians' orders, consultation reports, laboratory reports, pathology reports, clinic records, radiographic/ultrasound/photographic/other diagnostic reports and images, psychological reports, intensive care unit records, patient activity flow sheets, prescription orders, medication administration records, controlled drug inventory, physical/occupational/speech/respiratory therapy records, incident reports, bills for treatment, and any other records regarding said patient's physical, mental or emotional condition and treatment rendered (collectively "protected health information"). I further and specifically consent to the disclosure of any information concerning alcohol or drug abuse/treatment, psychiatric conditions/treatment, HIV test results or genetic testing.

This release together with a written request is also intended to require all health, disability and/or automobile insurance carriers to release any and all information regarding said patient in their possession, including, but not limited to, all payment or non-payment information and any collateral source information, to Greenfield Senior Living, Inc.

This is a limited medical authorization. I AM NOT waiving any physician/patient privilege or any psychotherapist/patient privilege. Any conferences, formal or informal, or any type of oral communication with Greenfield Senior Living, Inc. or any of their representatives is absolutely forbidden. Copies of any documents produced to Greenfield Senior Living, Inc., pursuant to this limited medical authorization, should be furnished to Jehl Law Group, PLLC, 60 S. Main Street, Suite 101, Memphis, Tennessee 38103, at Jehl Law Group, PLLC's expense.

I am initiating this request for disclosure of protected health information for legal purposes. I am on notice that any health care provider disclosing the above-requested information may not condition said patient's treatment, payment, enrollment or eligibility for benefits on whether I sign this authorization, and that this authorization can be revoked through written notice sent to JEHL LAW GROUP, PLLC or to the specific health care provider(s) being provided with this request, but any such revocation is and will be ineffective as to any information already released in reliance with the Authorization. The undersigned is aware of the potential that protected health information disclosed pursuant to this authorization is subject to re-disclosure in a manner that will not be protected by the HIPAA Privacy Rule (45 CFR §160, *et seq.*). A photocopy of this authorization shall be considered as effective and valid as the original, and this authorization will expire on 3-30-15.

Dated: 9-30-14

Signed: 

If signed by the patient's personal representative, explain the nature of the relationship:

Son and Executor of Estate of Gladys G. Wood, deceased

LETTERS TESTAMENTARY

State of Tennessee, County of Shelby County

Docket No. PR001799

TO: JAMES MICHAEL WOOD,

EXECUTOR(s)

The Probate Court of Shelby County, Tennessee has found that GLADYS G. WOOD has died, leaving a will in which you are appointed Executor(s). The Court is satisfied that your claim to administer this will is valid and proper, that you have given bond if required by the Court, that you have taken the oath of office, that you are qualified by the laws of this State to serve in such capacity, and therefore, the Court has ordered that Letters Testamentary be issued to you.

These letters authorize and empower you to take into your possession and control all property of the decedent subject to probate. As Executor(s) of this Estate, you must file a true and correct inventory and accountings as required by law, unless excused by court order. You are further authorized to collect all assets, pay all lawful debts as provided by statute, and to transact all duties relating to said Estate which lawfully devolve on you as Executor(s). After settling all claims lawfully filed against the Estate and properly administering the Estate as required by law, you are required to deliver the residue to those who are entitled thereto.

Issued by the Shelby County Probate Court Clerk this 21-JUL-2014.

PAUL BOYD CLERK

By: VALENCIA HUNT
Deputy Clerk

State of Tennessee, County of Shelby

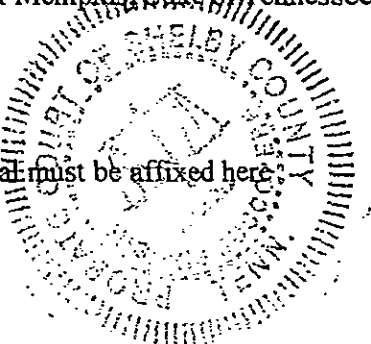
I, PAUL BOYD CLERK of the Probate Court of Shelby County, Tennessee do hereby certify that the foregoing is a correct copy of the Letters Testamentary issued to JAMES MICHAEL WOOD as Executor(s) of the Estate of GLADYS G. WOOD, decedent, as same appears of record in cause number PR001799 now on file in my office and that same still remain in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, in the City of Memphis, State of Tennessee, this 21-JUL-2014.

PAUL BOYD CLERK

By: Valencia Hunt
Deputy Clerk

Seal must be affixed here



IN THE PROBATE COURT OF SHELBY COUNTY, TENNESSEE

IN RE: ESTATE OF

GLADYS G. WOOD,

NO. PR-1799

DECEASED

ORDER ADMITTING LAST WILL AND TESTAMENT
TO PROBATE AND APPOINTING EXECUTOR

This cause came on to be heard on this date upon the verified petition of James Michael Wood, whose address is 1373 Fairway Forest, Memphis, Tennessee 38016, for the admission to probate of the last will and testament of Gladys G. Wood, a three-page paper writing (inclusive of affidavit of witnesses) captioned "Last Will and Testament of Gladys Jo Gault Wood" dated May 12, 2004. The petition also seeks petitioner's appointment as executor of such Will, to serve without bond and without being required to file inventory.

Upon the production in open court of the paper writing, upon the testimony of the petitioner, and upon statements of counsel, it appears to the satisfaction of the Court that:

1. Gladys G. Wood, a resident of Shelby County, Tennessee, died on May 17, 2014, at the age of 94, in Shelby County, Tennessee.

2. The decedent left a three-page paper writing (inclusive of affidavit of witnesses) captioned "Last Will and Testament of Gladys Jo Gault Wood" dated May 12, 2004, subscribed to by the

decedent and further subscribed to by Donna L. Norman and Teresa D. Austin as attesting witnesses (the "Will").

3. On May 12, 2004, the decedent was of sound mind and disposing memory and was over the age of majority. On May 12, 2004 the decedent signed, published, and declared the Will as and for her last will and testament in the presence of the respective attesting witnesses identified above, who subscribed their names as attesting witnesses in her presence and in the presence of each other and at her request and, in addition, executed an affidavit to that effect.

4. The sole beneficiary under the Will is the petitioner, who is the decedent's only child.

5. The petitioner is not aware of any instruments revoking the document offered for probate and believes that such document is the decedent's last will and testament.

6. In section 1.01 of the Will, the decedent nominated petitioner to serve as executor and excused him from furnishing bond and from filing inventory.

7. The petitioner is willing and in all respects competent to serve as such executor.

8. At the time of her death, the decedent was over the age of 55 years and was not enrolled in the TennCare Program in Tennessee.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. The three-page paper writing (inclusive of affidavit) dated May 12, 2004 is hereby admitted to probate as and for the true and whole last will and testament of Gladys G. Wood and shall be filed and recorded as such.

2. James Michael Wood is hereby appointed executor of such last will and testament.

3. James Michael Wood is excused from the requirement to furnish bond with respect to the performance of his duties as executor and from the requirement to file inventory, the same having been waived in such last will and testament.

4. The Clerk is directed to issue letters testamentary to James Michael Wood upon his taking the oath required by law.

KAREN D. WEBSTER

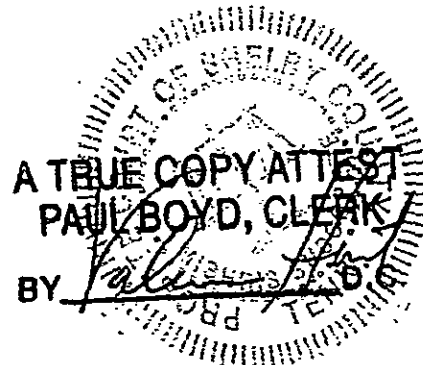
JUDGE

JUL 21 2014

DATE: _____

Approved as to form:

Susan Callison, BOPR# 8260
Attorney for Petitioner
Harris Shelton Hanover Walsh, PLLC
999 S. Shady Grove Road, Suite 300
Memphis, Tennessee 38120



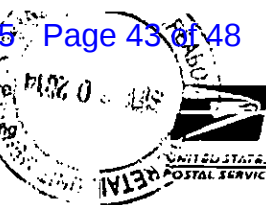
Name and Address of Sender

Carey L. Acerra, Esq.
Jehl Law Group, PLLC
60 South Main Street, Suite 101
Memphis, TN 38103

Check type of mail or service:

- ☐ Adult Signature Required ☐ Adult Signature Restricted Delivery
☒ Certified Mail ☐ Recorded Delivery (International)
☐ COD ☐ Registered
☐ Delivery Confirmation ☒ Return Receipt for Merchandise
☐ Express Mail ☐ Signature Confirmation
☐ Insured

Affix Stamp Here
(If issued as a
certificate of mailing
or for additional
copies of this bill)
Postmark and
Date of Receipt



U.S. POSTAGE
PAID
MEMPHIS, TN
38103
03/03/15
000115

\$3.76
00044062-17

Gladys G. Wood Article Number

Addressee (Name, Street, City, State, & ZIP Code™)

Postage

Fee

Handling
Charge

Actual
if Registered

1000

RD
Fee

RR
Fee

1.
7012 2210 0001 5004 9037

Patty Earles, in her capacity as Administrator
Of Greenfield Assisted Living of Memphis
1768 Cheshunt Lane
Cordova, TN 38016

2.
7012 2210 0001 5004 9044

Patty Earles, in her capacity as Administrator
Of Greenfield Assisted Living of Memphis
6551 Knight Arnold Road
Memphis, TN 38115

3.
7012 2210 0001 5004 9051

Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o Patty Earles, Administrator
6551 Knight Arnold Road
Memphis, TN 38115

4.
7012 2210 0001 5004 9068

Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37920

5.
7012 2210 0001 5004 9075

Greenfield Assisted Living of Memphis, LLC
d/b/a Greenfield Assisted Living of Memphis
a/k/a Greenfield at Lenox Park
6551 Knight Arnold Road
Memphis, TN 38115

6.
7012 2210 0001 5004 9082

Greenfield Management, LLC
c/o CT Corporation System, Registered Agent
800 South Gay Street, Suite 2021
Knoxville, TN 37929

7.
7012 2210 0001 5004 9099

Greenfield Management, LLC
125 North Washington Street
Falls Church, VA 22046

8.
7012 2210 0001 5004 9105

Greenfield Senior Living, Inc.
c/o Thomas A. Grant, Registered Agent
1001 Haxall Point, 15th Floor
Richmond, VA 23219

Total Number of Pieces
Listed by Sender

Total Number of Pieces
Received at Post Office

Postmaster, For (Name of receiving employee)

JAC

The full declaration of value is required on all domestic and international Registered Mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$500 per piece subject to additional limitations for multiple pieces lost or damaged in a single catastrophic occurrence. The maximum indemnity payable on Express Mail merchandise is \$500, but optional Express Mail Service merchandise insurance is available for up to \$5,000 to some, but not all countries. The maximum indemnity payable is \$25,000 for Registered Mail sent with optional postal insurance. See the DMM R900, S913, and S921 for limitations of coverage on insured and COD mail. See the IMM for limitations of coverage on international mail. Special handling charges apply only to Parcel Service parcels (A) and Standard Mail (B) parcels.

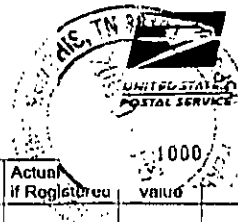
Name and Address of Sender

Carey L. Acerra, Esq.
Jehl Law Group, PLLC
60 South Main Street, Suite 101
Memphis, TN 38103

Check type of mail or service:

- ☐ Adult Signature Required
☒ Certified Mail
☐ COD
☐ Delivery Confirmation
☐ Express Mail
☐ Insured
☐ Adult Signature Restricted Delivery
☐ Recorded Delivery (International)
☐ Registered
☒ Return Receipt for Merchandise
☐ Signature Confirmation

Affix Stamp Here
(If issued as a
certificate of mailing
or for additional
copies of this bill)
Postmark and
Date of Receipt



U.S. POSTAGE
PAID
MEMPHIS, TN
38103
00044062-17

\$0.47

Gladys G. Wood Article Number

1.
7012 2210 0001 5004 9112

Addressee (Name, Street, City, State, & ZIP Code™)

Postage

Fee

Handling
Charge

Actual
if Registered

Value

if COD

Fee

Fee

Fee

Fee

Fee

RD
Fee

RR
Fee

Greenfield Senior Living, Inc.
6312 Seven Corners Center, Suite 161
Falls Church, VA 22044

Adult Signature Required
 Adult Signature Restricted Delivery
 Delivery Confirmation
 Signature Confirmation
 Special Handling
 Restricted Delivery
 Return Receipt

Total Number of Pieces
Listed by Sender: 1

Total Number of Pieces
Received at Post Office: 1

Postmaster, Per (Name of receiving employee)

J. Acerra

The full declaration of value is required on all domestic and international Registered Mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$500 per piece subject to additional limitations for multiple pieces lost or damaged in a single catastrophic occurrence. The maximum indemnity payable on Express Mail merchandise is \$500, but optional Express Mail Service merchandise insurance is available for up to \$5,000 to some, but not all countries. The maximum indemnity payable is \$25,000 for Registered Mail sent with optional postal insurance. See the DMM R900, S913, and S921 for limitations of coverage on insured and COD mail. See the IMM for limitations of coverage on international mail. Special handling charges apply only to Parcel Service parcels (A) and Standard Mail (B) parcels.

IN THE CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE
AT MEMPHIS, TENNESSEE

James Michael Wood, Executor of
Estate of Gladys G. Wood, Deceased,
and on behalf of the wrongful death
beneficiaries of Gladys G. Wood,

Plaintiff,

v.

Greenfield Assisted Living of Memphis,
LLC d/b/a Greenfield Assisted Living of
Memphis a/k/a Greenfield at Lenox
Park; Greenfield Management, LLC;
and Greenfield Senior Living, Inc.,

Defendant.

Case No.

CT-000334-15
Division VI
FILED
JAN 23 2015
CIRCUIT COURT CLERK
BY [Signature] D.C.

CERTIFICATE OF GOOD FAITH

Comes now the Plaintiff, James Michael Wood, Executor of Estate of Gladys G. Wood, Deceased, and on behalf of the wrongful death beneficiaries of Gladys G. Wood by and through counsel, and pursuant to T.C.A. § 29-26-122, and states as follows:

I have consulted with one (1) or more experts who have provided a signed written statement confirming that upon information and belief they:

(A) Are competent under § 29-26-115 to express an opinion or opinions in the case;
and

(B) Believe, based on the information available from the medical records concerning the care and treatment of the plaintiff for the incident or incidents at issue, that there is a good faith basis to maintain the action consistent with the requirements of § 29-26-115.

I have no prior violations of this section.

Respectfully Submitted,

THE HIGGINS FIRM, PLLC

A handwritten signature in black ink, appearing to read 'R. Piliponis', written over a horizontal line.

RICHARD D. PILIPONIS, BPR No. 16249

Attorney for Plaintiff

525 4th Ave. South

Nashville, TN 37210

(615) 353-0930